

F A R E R F E R S K O

A PROFESSIONAL ASSOCIATION ATTORNEYS AT LAW

July 22, 2010

Via ECF and Fax

Honorable Joel A. Pisano, U.S.D.J.  
Clarkson S. Fisher Federal Building  
and U.S. Courthouse  
402 East State Street  
Trenton, NJ 08608

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Re: ANJRPC, et al. v. Christopher J. Christie, Governor of New Jersey et al.  
Docket No.: 3:10-cv-00271-JAP-TJB  
Our File No.: 011901

Dear Judge Pisano:

We represent the Plaintiffs in the above-referenced matter.

On June 14, 2010, Your Honor entered an opinion in connection with the pending motions and cross-motions in this matter. Among the Court's rulings was a direction to the parties to provide certain additional briefing on issues relating to new facts that had been provided by the State Defendants to the Court regarding changed circumstances since the filing of the Complaint and the filing of the motions. As Your Honor may recall, Plaintiffs took the position that these issues could be resolved through amendment to update the claims to address the new facts as alleged by the State Defendants. In view of the foregoing, the parties have discussed the matter and we believe Your Honor's request for additional briefing would likely be rendered moot by the filing of a Second Amended Complaint to assert claims consistent with the new facts.

Accordingly, in lieu of the additional briefing which is due on Monday, July 26, 2010, without waiver of 12(b)(1) and 12(b)(6) objections, the parties jointly request that Plaintiffs be given a period of time to develop a consented-to Second Amended Complaint to be presented to the Court for its approval prior to the resolution of any remaining motions.

Accordingly, all parties request that the Court suspend the briefing date and allow 30 days for a proposed Second Amended Complaint to be presented to the Court.

\*Certified by the Supreme  
Court of New Jersey  
as a Civil Trial Attorney

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Thank you for your attention in this regard.

Respectfully submitted,

/s/ Daniel L. Schmutter

Daniel L. Schmutter

DLStamh

cc: Larry Erzweiler, Esq. (Via ECF)  
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